

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
2019 DEC 12 PM 12:30
MARGARET BOTKINS, CLERK
CHEYENNE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,

Plaintiff(s),

vs.

GIBSON CONDIE,

Defendant(s).

Case No. 17-CR-00124-J

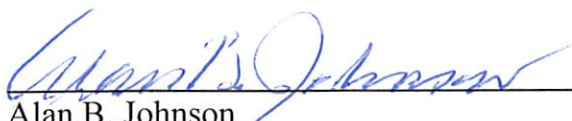
ORDER DISMISSING PETITION

On November 19, 2019, the Defendant, Gibson Condie, caused a Petition to be filed “asking the court to interpret Congressional intent, as expressed in the language of the First Step Act, and award me 165 days of programming credit, direct that my home confinement eligibility date be recalculated to be December 2, 2019, and order that I begin my home confinement on that date.” ECF No. 102. Defendant is presently committed to the custody of the United States Bureau of Prisons serving a thirty-six month term of confinement for Health Care Fraud in violation of 18 U.S.C. § 1347. ECF No. 75. The Government has filed an Opposition to the Defendant’s Petition taking the position that the court lacks authority to grant the credits and home confinement requested by the Defendant. After reviewing the

Petition and the Government's Opposition the court agrees that it does not have authority to award the sentencing credits and home confinement as contemplated under the First Step Act of 2018 and finds that the Petition should be dismissed.

IT IS ORDERED that the Defendant's Petition to Award Benefits Outlined in the First Step Act should be and the same is **DISMISSED**.

Dated this 11th day of December, 2019.


Alan B. Johnson
United States District Judge